

Joint Ordinance No.:

5600

A JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS AUGUST 10, 2010, AND BY SHELBY COUNTY AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING & DEVELOPMENT AND THE LAND USE CONTROL BOARD.

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**WHEREAS**, By the provisions of chapter 165 of the Private Acts of the General Assembly of the State of Tennessee for the year 1921, authority was conferred upon the legislative body of the City of Memphis, Tennessee, to establish districts or zones within the corporate territory of the City of Memphis and to establish zoning regulations pertaining thereto, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, By the provisions of chapter 613 of the Private Acts of the General Assembly of the State of Tennessee for the year 1931, the legislative bodies of the City of Memphis and the County of Shelby were given authority to establish districts or zones within the territory in Shelby County, Tennessee, outside of, but within five miles of the corporate limits of the City of Memphis, Tennessee, and to establish zoning regulations pertaining thereto, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, By the provisions of chapter 625 of the Private Acts of the General Assembly of the State of Tennessee for the year 1935, authority was conferred upon the legislative body of the County of Shelby, to establish districts or zones within the unincorporated territory of Shelby County and outside the five-mile zone of the corporate limits of the City of Memphis, Tennessee, and to amend said zones or districts and zoning regulations pertaining thereto from time to time; and

**WHEREAS**, by the provisions of chapter 470 of the Private Acts of 1967, the General Assembly of the State of Tennessee conferred upon the legislative body of Shelby County the authority to regulate the subdivision or resubdivision of land into two or more parts; and

**WHEREAS**, by the provisions of section 2 of chapter 470 of the Private Acts of 1967, the General Assembly of the State of Tennessee conferred upon the legislative bodies of the City of Memphis and the County of Shelby the authority to regulate the subdivision and resubdivision of land within three miles of the corporate limits of the City of Memphis into two or more parts; and

**WHEREAS**, by provisions of T.C.A. title 54, ch. 10 [§ 54-10-101 et seq.], the General Assembly of the State of Tennessee conferred on the legislative body of Shelby County the authority to open, close or change public roads within the areas subject to its jurisdiction; and

**WHEREAS**, the Unified Development Code was adopted by the city of Memphis on August 10, 2010, and by Shelby County on August 9, 2010, as a the new regulations for zoning and subdivisions in the city of Memphis and unincorporated Shelby County; and

**WHEREAS**, a comprehensive review of the Unified Development Code was initiated by the Memphis and Shelby County Office of Planning and Development; and

**WHEREAS,** The Unified Development Code should reflect the adoption of several amendments presented by the Memphis and Shelby County Office of Planning and Development; and

**WHEREAS,** The Memphis and Shelby County Land Use Control Board approved these amendments at its August 13, 2015, session;

**NOW, THEREFORE, BE IT ORDAINED,** By the City Council that the City of Memphis and by the Board of Commissioners of Shelby County, Tennessee that Joint Ordinance No. 5367, is hereby amended as follows:

**SECTION 1, CASE NO. ZTA 15-002 CC.** That various sections of the Unified Development Code be hereby amended as reflected on Exhibit A, attached hereto.

**SECTION 2.** That the various sections, words, and clauses of this Joint Ordinance are severable, and any part declared or found unlawful may be elided without affecting the lawfulness or the remaining portions.

**SECTION 3.** That this Joint Ordinance shall take effect from and after the date it shall have been enacted according to due process of law, and thereafter shall be treated as in full force and effect in the jurisdictions subject to the above-mentioned Ordinance by virtue of the concurring and separate passage thereof by the Shelby County Board of Commissioners and the Council of the City of Memphis.

**BE IT FURTHER ORDAINED,** That the various sections of this Ordinance are severable, and that any portion declared unlawful shall not affect the remaining portions.

**BE IT FURTHER ORDAINED,** That this Ordinance shall become effective \_\_\_\_\_, 2015.

THE FOREGOING ORDINANCE  
# 5600 PASSED  
1st Reading 9-1-15  
2nd Reading 9-15-15  
3rd Reading 10-6-15  
Approved \_\_\_\_\_  
Chairman of Council  
Date Signed: 20 October 2015  
Approved: \_\_\_\_\_  
Mayor, City of Memphis  
Date Signed: 10/22/15  
I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.  
Valerie C. Snydes  
Comptroller



Chairman  
Myron Lowery